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JUN 02 2004
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PATENT

FACSIMILE TRANSMITTAL LETTER

Attorney Docket No.	Serial No.
165P5US01	10/796,844

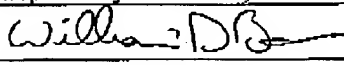

MS: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TOTAL NO. OF PAGES: 5
Sent to Facsimile No.: 703-872-9306
Examiner Phone No.: _____

In re Application of:	John H. Koester		
Serial No.:	10/796,844	Examiner:	
Confirmation No.:		Art Unit:	
Filed:	March 9, 2004		
For:	HEAD JOINT DRAINAGE DEVICE, WALL SYSTEM AND METHOD FOR DRAINING MOISTURE FROM A HEAD JOINT		
We are transmitting the following documents:			
Facsimile Transmittal Letter [1 page]			
Information Disclosure Statement (37 C.F.R. 1.97(b)) [2 pages]			
Information Disclosure Statement by Applicant [2 page]			

Please charge Deposit Account 50-0549 for any fees under 37 CFR §1.16 and §1.17 that may be required during the pendency of this application. This authorization includes the fee for any extension of time under 37 CFR §1.136(a) that may be necessary. To the extent any such extension should become necessary it is hereby requested.

Respectfully submitted,

Registration No. 28,052	Direct Dial 612-331-7405	
Date: June 2, 2004	William D. Bauer	
United States Patent and Trademark Office		
Customer No. 23322		
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Pursuant to 37 CFR 1.8, I certify that this correspondence is being sent to the telephone number shown below, addressed to: MS: Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the below indicated date.		
To Facsimile Number 703-872-9306	Signature 	
Date June 2, 2004	Printed Name William D. Bauer	
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PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: John H. Koester

Examiner:

Serial No.: 10/796,844

Art Unit:

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For: HEAD JOINT DRAINAGE DEVICE, WALL SYSTEM AND
METHOD FOR DRAINING MOISTURE FROM A HEAD JOINTRECEIVED
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JUN 02 2004

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CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being sent to telephone number 703-872-9306 addressed to: MS: Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on June 2, 2004.


William D. BauerINFORMATION DISCLOSURE STATEMENT (37 C.F.R. §1.97(b))MS: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted within three months of the filing date of the above-identified application. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with the Notice signed July 11, 2003 at 1276 OG 55, copies of the U.S. patents listed on the enclosed Form 1449 are not enclosed.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialled by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 500549.

Respectfully submitted,

JOHN H. KOESTER

Date: June 2, 2004

By: William D. Bauer
William D. Bauer
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Minneapolis, MN 55418
Telephone (612) 331-7405

WDB:das

Substitute for Form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT	Complete if Known	
	Application Number	10/796,844
	Filing Date	March 9, 2004
	First Named Inventor	John H. Koester
	Art Unit	
	Examiner Name	
	Attorney Docket No.	165P5US01

U.S. PATENT DOCUMENTS					
Examiner Initials	Cite No.	Document Number	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code	MM-DD-YYYY		
		US-1,444,709	02-06-1923	Sea	
		US-2,264,961	12-02-1941	Ward	
		US-3,318,056	05-09-1967	Thompson	
		US-3,498,015	03-03-1970	Seaburg et al.	
		US-3,654,765	04-11-1972	Healy et al.	
		US-3,888,087	06-10-1975	Bergsland	
		US-4,114,335	09-19-1978	Carroll	
		US-4,189,886	02-26-1980	Frohlich et al.	
		US-4,381,630	05-03-1983	Koester	
		US-4,507,901	04-02-1985	Carroll	
		US-4,745,716	05-24-1988	Kuypers	
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		US-5,692,348	12-02-1997	Ambrosino	
		US-5,713,696	02-03-1998	Horvath et al.	
		US-5,826,390	10-27-1998	Sacks	
		US-6,298,620	10-09-2001	Hatzinikolas	
		US-6,355,333	03-12-2002	Waggoner et al.	
		US-6,410,118	06-25-2002	Reicherts et al.	
		US-2002/0108333	08-15-2002	Clayton	

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No.	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T
		Country Code/Number/Kind Code				

EXAMINER	Date Considered
*Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

Substitute for Form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT	Complete if Known	
	Application Number	10/796,844
	Filing Date	March 9, 2004
	First Named Inventor	John H. Koester
	Art Unit	
	Examiner Name	
	Attorney Docket No.	165P5US01

NON PATENT LITERATURE DOCUMENTS						
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.				T

EXAMINER	Date Considered
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